

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : Dec. 28, 2005

TO SPE OF : ART UNIT 1621 (*Johann Richter*)

SUBJECT : Request for Certificate of Correction on Patent No.: 6,924,391

A response is requested with respect to the accompanying request for a certificate of correction.

Please complete this form and return with file, within 7 days to:

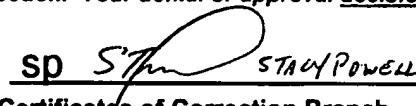
Palm location 7580, Certificates of Correction Branch – South Tower – 9A22

If response is for an IFW, return to employee (named below) via PUBSCofC Team in MADRAS.

With respect to the change(s) requested, correcting Office and/or Applicant's errors, should the patent read as shown in the certificate of correction (COCIN)? No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please see the claims, Amdt. dated 10/7/04, the NOA, and the cert. of correction. Your denial or approval decision is needed below.

Thank You For Your Assistance


SP *Stacy Powell*
Certificates of Correction Branch
Tel. No. 703-308-9390 x120

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

Approved

All changes apply.

Approved in Part

Specify below which changes do not apply.

Denied

State the reasons for denial below.

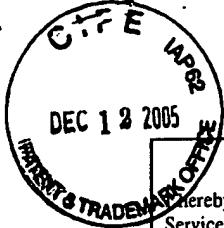
Comments:

Johann Richter
JOHANN RICHTER
SUPERVISORY PATENT EXAMINER
GROUP 16

1621

SPE

Art Unit



Attorney Docket Number: QA211

CERTIFICATE OF MAILING

Hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Loriann Kazmeryk
Type or print name

Susan Hayn
Signature

Dec. 8, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

BANVILLE ET AL.

APPLICATION NO: 09/848,694

(now U.S. Pat. 6,924,391)32

FILED: MAY 3, 2001

FOR: ALPHA-AMINO, -THIO, -OXO SUBSTITUTED KETONES AS
PHOSPHOLIPASE INHIBITORS

*Certificate
DEC 15 2005
of Correction*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Decision and Certification Branch of Patent Issue Division

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. 1.322

Sir:

The above patent application Serial No. 09/848,694 issued as U.S. Pat. No. 6,924,391 on August 2, 2005. Applicants hereby request a certificate of correction for the errors set forth on form PTO/SB/44 attached hereto as Appendix A. Remarks regarding the corrections are set forth below on pages 2-4.

DEC 16 2005

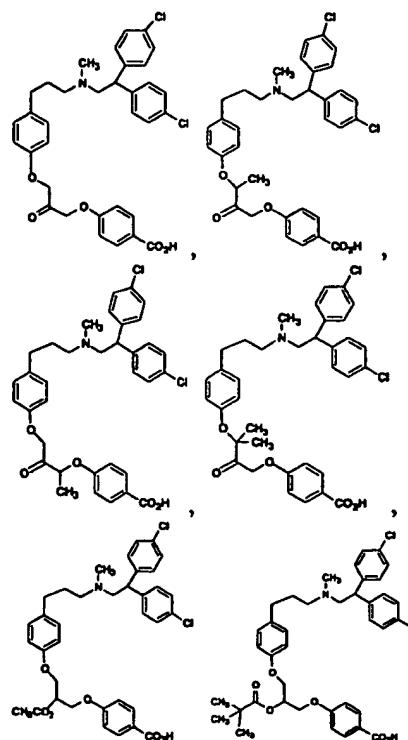
REMARKS

For the USPTO's convenience, Applicants have attached the following appendices:

- A completed form PTO/SB/44 listing all the corrections sought to be made herein (Appendix A).
- Copies of the Office Action mailed July 8, 2004, the Amendment filed October 7, 2004 and the Notice of Allowance (Appendix B).

Each of the errors, depicted in Table 1, occurred through the fault of the USPTO, for which correction is sought under 37 C.F.R. 1.322. Applicants submit these corrections present no new matter and do not require further examination. Remarks regarding each of the corrections follow the Table.

Table 1

Error Number	Column and Page	Error	Correction
1	Col. 119, line 2	Numerous compounds are missing from claim 1.	After "A compound selected from", the following formulae should be added: 

			<p>, and</p>
2	Col. 119, lines 45-65	The structure is incorrect	Replace the printed structure with the following:
3	Col. 120, lines 25-45	The structure is incorrect	Replace the printed structure with the following:
4	Col. 122, lines 25-45	The structure is incorrect	Replace the printed structure with the following:

5	Col. 122, lines 45-65	The structure is incorrect	Replace the printed structure with the following:
6	Col. 125, lines 20-40	The structure is incorrect	Replace the printed structure with the following :

In Error 1, nine compounds were omitted from claim 1. These compounds were allowed in claim 11 of Applicants' Amendment dated October 7, 2004.¹ Applicants submit that the nine unmarked compounds shown on page 10 of the Amendment have been omitted from claim 1 of the patent and should be added to the claim following the text "A compound selected from."

Errors 2-6 consist of five structures incorrectly printed. All are USPTO mistakes. This is apparent in comparing the structures found on pages 11-12 of Applicants' Amendment with the printed patent.

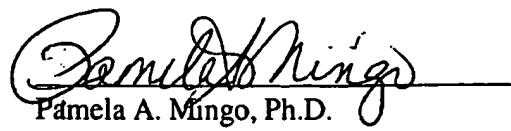
As each of the mistakes made are the fault of the USPTO, Applicants believe no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-3880. The USPTO is requested to kindly contact the undersigned if deemed appropriate to expedite this request.

¹ On page 3 of the Office Action, mailed July 8, 2004, the Examiner states that "Claim 11 will be allowed to the extent it reads on the elected subject matter. Compounds containing Silicon and heterocyclic subject matter should be deleted." As shown on pages 9-13 of Applicants' Amendment, claim 11 was amended to remove silicon and heterocyclic subject matter which reflected the scope of the generic concept of the elected subject matter. On page 2 of the Notice of Allowance, the Examiner states that "specific compounds of claim 11 are now claimed, along with the pharmaceutical composition. These compounds do not read on the above reference and hence are patentable."

US Pat. No. 6,924,391 (application Serial No. 09/848,694)
Attorney Docket Number: QA211

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(203) 677-7669



Pamela A. Mingo, Ph.D.
Agent for Applicant
Reg. No. 48,256

Date: December 8, 2005



APPENDIX A

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

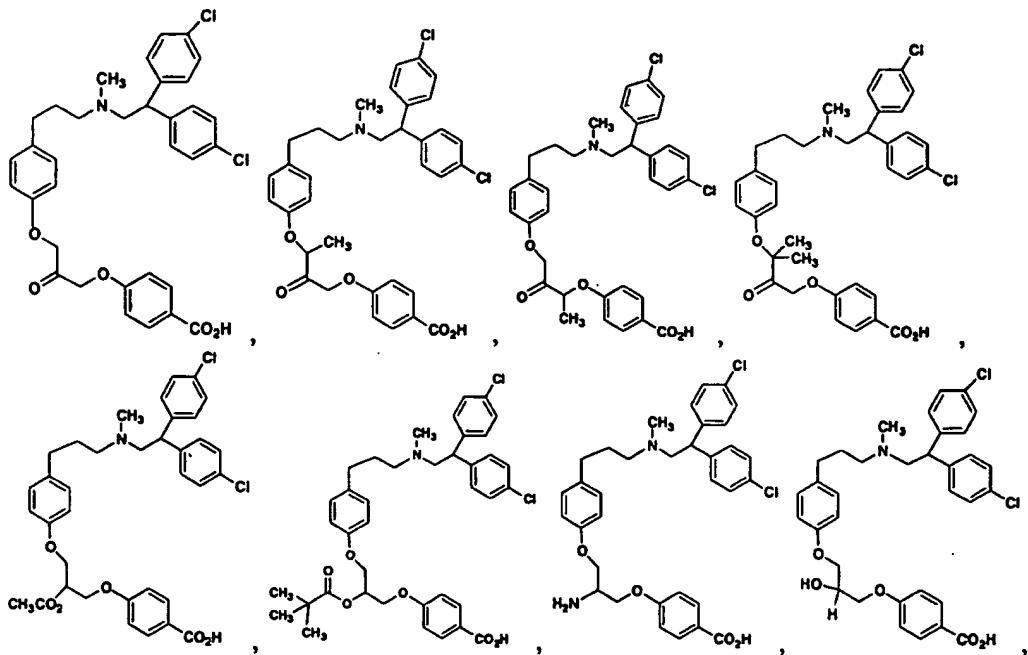
PATENT NO : 6,924,391 *B2*

DATED : August 2, 2005

INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 119, line 2, after "A compound selected from", the following formulae should be added:



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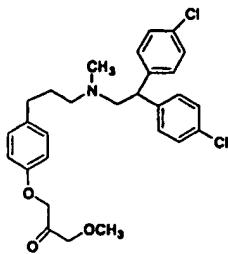
PATENT NO. 6,924,391

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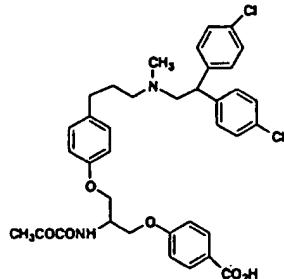
UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO : 6,924,391 *b2*
DATED : August 2, 2005
INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)



Col. 119, lines 45-65, the formula should appear as follows:



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PATENT NO. 6,924,391

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FORM PTO/SB/44

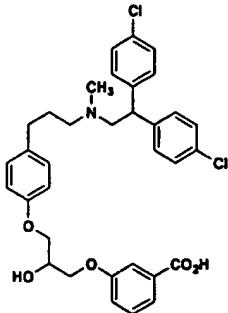
DEC 16 2005

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

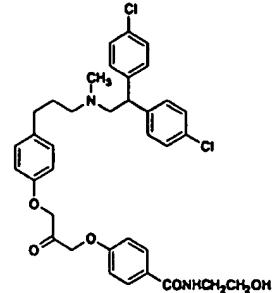
PATENT NO : 6,924,391 *B2*
DATED : August 2, 2005
INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)

Col. 120, lines 25-45, the formula should appear as follows:



Col. 122, lines 25-45, the formula should appear as follows:



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PATENT NO. 6,924,391

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

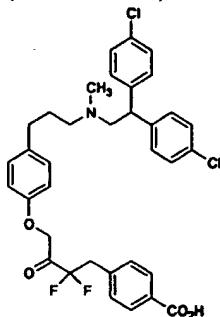
PATENT NO : 6,924,391 *B2*

DATED : August 2, 2005

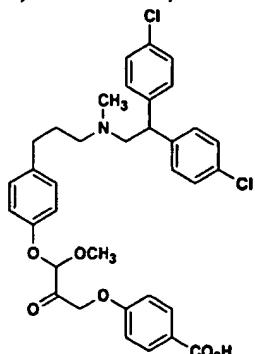
INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)

Col. 122, lines 45-65, the formula should appear as follows:



Col. 125, lines 20-40, the formula should appear as follows:



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